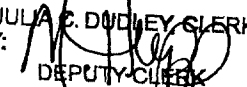


UNITED STATES DISTRICT COURT

for the

Western District of Virginia

OCT 18 2011

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

United States of America )

v. )

JAMEL FAULKNER )

Case No: 4:02CR70030-1; 4:03CR30099-3

USM No: 09493-084

Date of Previous Judgment: 05/09/2011 )

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): \_\_\_\_\_

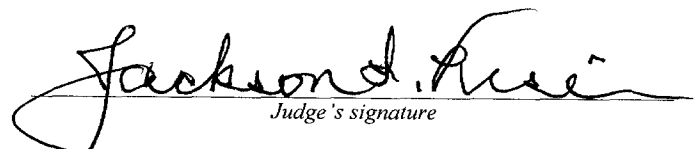
III. ADDITIONAL COMMENTS

As to 4:02CR70030-1, the range of 240 months (statutory minimum) is not reduced. As to 4:03CR30099-1, the amount of cocaine base (6.5 kilos) produces a lower base offense level; however, Defendant's guideline range remains 360 months to life. Therefore, a reduction would not result in a reduced sentence.

Except as provided above, all provisions of the judgment dated 05/09/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date: 10-18-11

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Senior United States District Judge  
Printed name and title